

VIRGINIA RECYCLING MARKETS DEVELOPMENT COUNCIL

December 2, 2009



**10:00 AM
DEQ Piedmont Office
Glen Allen, VA**

DRAFT MINUTES

1. Welcome and Introductions:

Jimmy Sisson, RMDC Vice Chair, called the meeting to order at 10:05 A.M. and welcomed the members of the Virginia Recycling Markets Development Council and members of the public to the meeting. New members Toby Edwards representing Rural PDCs and Jerome Segovia representing the Public at Large were introduced.

2. Determination of a Quorum:

Based on the attendance of the members present, Vice Chairman Sisson declared a quorum. Those who were present for some or all of the meeting are noted below:

RMDC	Representing	Absent RMDC	
Philip Abraham,	Plastics Industry	Richard Lerner	Metal Industry
Kevin Byrnes	Urban PDC	John Kline	Tires
Michael Benedetto	Paper Industry	John-Kemper Garrett	Glass
Georgiana Ball	VDGS	William Vehrs	VDBA
Robert Broom	Composting Industry	Tom Smith	VACO
Bernard Harris	Waste Industry	Michael Ward	Oil Industry
William Bailey	VDOT		
Jimmy Sisson – Chair	Recycling		
Steve Coe	VDEQ		
Michael Murphy	VDEQ		
Toby Edwards *	Rural PDC		
Jerome Segovia *	Public at Large		
Brian Vickers- (potential member)	Glass Industry		

** new members*

Visitors	Representing
Katie Vasquez	Virginia Recycling Association
Erica Trout	Virginia Recycling Association

3. Approval of Agenda

The Chair asked the committee members to review the meeting agenda. Phil Abraham motioned to approve the agenda. It was seconded by Michael Benedetto and approved by the Council.

4. Approval of Minutes

Minutes from the September 2 meeting were reviewed and Mr. Coe offered corrections for section III, paragraph 1 (the 2008 Virginia Recycling Rate report was being completed to get ready for publishing), paragraph 2 (Only 2 jurisdictions failed to meet the mandated rate) and for the last paragraph in section III (compliance is mandatory for manufacturers and enforcement rests with the Attorney Generals office).. A motion was then made by Kevin Byrne to approve the minutes as amended, seconded by Mr. Abraham, and approved by the Council.

5. DEQ Update:

Update on the 2008 Recycling Rate Report

Mr. Coe reported that the CY 2008 Virginia Recycling Rate Report has been published and proceeded to review the highlights. He noted that 69 of the 71 reporting Solid Waste Planning Units (SWPU) met the mandated recycling rate (48 achieving the 25% rate and 21 Of 23 achieving the 15% rate). Only Caroline County and Botetout County did not achieve the mandated rate and both have Recycling Action Plans to address the issue of data collection to which they attribute their shortfall.

The overall State Recycling Rate for CY 2008 was 38.5% matching the CY 2007 rate. Nine SWPUs reported rates that declined more than 5% from CY 2007 while 13 reported rates that declined more than 4%.

Mr. Coe noted that 3,661,027 tons of material were recycled or reused in 2008. Mr. Coe went thru the report pointing out the regional recycling rates and trends observed in the CY 2008 reports. He noted that the number of SWPUs meeting the required rate has improved from 35% for the CY 2003 to 97% for the CY 2008.

Mr. Coe pointed out that the report is available on the DEQ web site.

It was noted that one of the areas that reported a decline of 4% was SPSA and in response to a question as to what will happen to recycling in the area with SPSA selling and/or cutting programs Mr. Benedetto pointed out that the communities were taking on the

responsibility themselves. Chesapeake working with Tidewater Fibre will switch to 96 gallon carts and continue the program in addition to instituting a school recycling program with TFC. Suffolk is franchising curbside recycling and asking citizens to sign up and Norfolk and the other SPSA members are going to continue their curbside recycling programs.

Mr. Broom asked if SPSA will continue to report for the region or will the individual localities submit individual reports. He feels that individual reports by locality should be done to give a true picture of the efforts in each locality. It was noted that reporting might be taken over by the Hampton Roads PDC. Mr. Abraham asked if there was a requirement for reporting and it was noted that the SWPU is responsible. For individual localities to report they would also have to have their own Solid Waste Management Plans. Mr. Murphy pointed out that the last revision of the Solid Waste Planning Regs stated that failure to achieve the mandated recycling rate could not be the sole reason for denial of a Solid Waste Permit. Mr. Murphy went on to point out that SPSA predated recycling rate reporting and that they were an early proponent of regional cooperation and planning.

Update on local government recycling program cost survey.

Mr. Coe presented the results from a survey performed by the DEQ. The survey was recommended by the Joint Legislative Audit and Review Commission (JLARC) "Report on Waste Reduction Efforts in Virginia" (2008). The purpose of the survey was to determine the funding needs of local recycling and litter prevention efforts and to reports the amounts needed to fully fund those efforts.

Mr. Coe noted that sixty-nine percent (93 out of 134) localities submitted a completed survey to the DEQ.

The survey results indicated that an additional \$12.8 million would be needed to fully fund local recycling and litter prevention programs state-wide.

Mr. Coe indicated that the survey results have been provided to VML and VACO.

Mr. Byrnes expressed surprise at the number of non-respondents and questioned some of the numbers. He asked if they could be footnotes. Mr. Coe answered that he would do that.

Katie Vasquez reported that she filled out the survey for her locality and found it challenging. She indicated that the response to how much money could she use would be 'as much as I can get'.

Update on plastic bag recycling grant programs

Mr. Coe then updated the Council on the progress on the Plastic Bag Recovery and Recycling Programs currently underway in the City of Alexandria and the Isle of Wight County that are being supported by grants from the Litter Control and Recycling Fund.

The Isle of Wight received a \$28,000 grant for its program. Trex Lumber in Winchester is working with Isle of Wight on the program.

Mr. Murphy pointed out that these programs were in response to legislation introduced last year to ban and/tax plastic bags. The problem in Isle of Wight has been the damage to the cotton harvest being contaminated with all the plastic bags and that prompted the introduction of legislation to ban the bags. All the various bills were withdrawn and the recycling pilot programs were given an opportunity to address the problem.

After a discussion of possible future legislation banning or taxing plastic bags and other localities around the country that have banned them Mr. Murphy noted that the JLARC study did include plastic bags.

It was noted that in Alexandria the plastic bags were causing a different problem, they were getting into the storm drains and into the rivers.

Both programs are in the preliminary stages. Mr. Edwards noted that he has implemented a similar program in his area and that it took about 3 years to see a reduction in the plastic bag litter so these localities should not get discouraged by early results.

Mr. Benedetto noted the problems the bags cause to equipment at the MRF and the fact that recyclers like Trex only want clean plastic bags as reasons why plastic bags are not generally included in curbside programs.

Update on FY 2010 Litter and Recycling Grants to Localities

Mr. Coe reported that for FY 2009 \$1,878,504 had been allocated to the Litter Prevention and Recycling Program through the non-competitive grant program. Of that, all but \$49,023 had been reported as spent as of June 30 2009. For FY 2010 the amount allocated has been reduced to \$1,524,694.

6. Old Business

Status of Council Membership appointments

Mr. Sisson noted that there were two new members in attendance today as noted earlier and that three terms expire June 30, 2009 and since it is the second term for all three (Michael Benedetto, Mike Ward and Tom Smith) they are not eligible for reappointment. They will serve until they either resign or a replacement is found and it was noted that they should assist in the process of finding their replacement.

Mr. Sisson also noted that there are still three groups currently without Council member (Aluminum, Electronics and VML). Anyone who has suggestions for possible nominations for these positions should forward them through the Chairman.

Nominating Committee Report

Mr. Sisson reported that the nominating committee Chairman Tom Smith has recommended Jimmy Sisson for Chairman and Bernie Harris for Vice Chair. Mr. Sisson then asked the Council if there were any other nominations and hearing none closed the nominations. The Council then approved the slate as proposed.

Topics from September 2 meeting/VRA annual meeting

Katie Vasquez gave a recap of the November 6 VRA meeting in Charlottesville which included 78 registrants for the one day session. The meeting included a presentation from Scott Cassell of the Product Stewardship Institute(PSI), an update from Mike Murphy on DEQ activity and various committee and business reports. Mr. Byrne reported on his suggestions to Mr. Cassell as to how the PSI could more effectively function in Virginia.

A new Policy Committee was formed to develop position papers to enable the VRA to respond to questions and information requests in a more timely fashion.

Ms. Vasquez noted that the annual VRA conference will be held in Virginia Beach May 18 & 19 and encouraged all to attend.

Ms. Vasquez also reported that interested parties could still sign up for a recycling license plate. 350 pre-sold plates are needed before the plate will be issued but Ms. Trout indicated that there is a possible direct way through the legislature that she will pursue that bypasses the requirement.

7. New Business

Council Elections

Completed earlier under Old Business.

Roundtable Discussion

Mr. Murphy reported that following up on the discussion at the last meeting when Mr. Kline expressed his concern that \$500,000 had been diverted from the tire clean-up fund to the General Fund to help with the budget shortfall, now \$2,000,000 has been diverted essentially ending DEQ activity cleaning up old tire piles once the current one in Northern Virginia is completed. The current flow of tires will still be taken care with funds available but none are available for old pile cleanup.

Mr. Byrne asked if Chesterfield was going to drop their curbside recycling program due to budget issues and Ms. Trout, a member of the Chesterfield committee looking at recycling in the County responded that she did not think the program would be dropped.

Mr. Benedetto indicated that with the closing of the IP paper facility in Franklin a lot of recycled paper will now have to find a new market. He also reported that rumors are going around that the new owners, InBev, of the AB brewery in Williamsburg were shopping it around and/or considering closing it and that were to happen it would affect the OI glass plant in Toano. This would not be helpful for glass recycling in the Commonwealth.

It was also noted that Wal-Mart is looking at reducing store energy consumption and one way is to reduce in-store cold storage by converting milk packaging from HDPE bottles to aseptic/poly coated packaging. This would negatively impact local recycling programs both from a separation issue at MRFs to marketing issues for this package.

Mr. Bailey then gave the Council an update on the progress of the DOT shingle recycling program. Up to 5% shingles can be used as part of the mix. The shingles and recovered payment portion is limited to 20% of the mix. Mr. Bailey indicated that 2,000 tons have been placed in test roads with approximately 600 tons per mile for surface use. Mr. Bailey indicated that a final report would be issued next year but it appears that this is a good program. Mr. Sisson noted that the recycling process for shingles is reasonable and cost effective so he would anticipate success for shingle recycling.

Mr. Broom indicated that there is currently a lot of interest in food waste recycling but it is logistically challenging. He is currently working with Safeway in Northern Virginia on a proposal.

Updates/input from state agency representatives

Mr. Coe indicated that the DEQ is working with Ms. Trout and the VRA developing a recycling manual for public schools for the Department of Education. Once completed it would be sent to school Superintendents, probably within the next six months.

Mr. Bailey reported that the EPA is looking at fly ash in light of some recent highly publicized problems and it is anticipated that they will declare it a hazardous waste. This would make it very difficult to continue to utilize it in concrete which is currently a beneficial use.

2010 Meeting Schedule

Mr. Sisson indicated that next year's meeting schedule is tentatively set as follows:

- March 3, 2010 at the DEQ office in Glen Allen
- June 2, 2010
- September 1, 2010
- December 1, 2010

Mr. Abraham asked if the March meeting should be delayed until the end of the General Assembly session. Following Council discussion it was decided to leave the date as originally scheduled.

Mr. Sisson noted that sites for the 2010 meeting after the March meeting would be determined later as the committee often meets at other locations in the state.

8. Public Comment

There was no additional public comment and Mr. Sisson adjourned the meeting.